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BLAŠKIĆ CASE: TWO HEARINGS SCHEDULED FOR APRIL RELATING TO THE SUBPOENAS DUCES TECUM

Following today's hearing before Judge Gabrielle Kirk McDONALD, two Orders have been issued.

1. The first 'Order Regarding Subpoena *Duces Tecum*' orders that a hearing be held on **16 April 1997 at 10 a.m.**, at which time all parties addressed in the order (i.e., Bosnia and Herzegovina and its Defence Minister, Ante Jelavić and the Republic of Croatia and its Defence Minister, Gojko Šušak) are invited to present their oral arguments on the following issues:

- * the power of a Judge or Trial Chamber of the International Criminal Tribunal for the former Yugoslavia to issue a subpoena *Duces Tecum* to a sovereign State;
- * the power of a Judge or Trial Chamber of the International Criminal Tribunal for the former Yugoslavia to make a request or issue a Subpoena *Duces Tecum* to a high government official of a State;
- * the appropriate remedies to be taken if there is non-compliance of a Subpoena *Duces Tecum* or request issued by a Judge or a Trial Chamber of the International Criminal Tribunal for the former Yugoslavia;
- * any other issue concerning this matter.

The Parties are invited to file with the Registry written briefs on these issues by **1 April 1997**, and any written replies by **11 April 1997**.

2. In the 'Order of a Judge to ensure compliance with a Subpoena *Duces Tecum*', Judge McDonald finds that Mr. Ante Jelavić, the Defence Minister of the Federation, "*has failed to comply with my Order of 28 February 1997*", and orders that "*Mr. Ante Jelavić inform me of the exact location or locations of all documents contained in the Central Archive of what was formerly the Ministry of the Croatian Community of Herceg Bosna by 14 March 1997; ensure that the documents contained in the same Archive are not damaged, destroyed or removed; produce the documents requested in the Subpoena *Duces Tecum* to me by 17 March 1997, or alternatively provide the Prosecutor access to the documents contained in the Central Archive by making the necessary arrangements to allow the inspection and copying of the documents under subpoena by the Prosecutor by 17 March 1997.*"

In addition, the Judge requests that the "*proper authorities of Bosnia and Hercegovina assure compliance with the Subpoena *Duces Tecum* issued on 15 January 1997,*" and further orders that "*in the event of non-compliance, Mr. Ante Jelavić shall appear in person before me on **Friday 18 April 1997 at 10.00 AM** to show cause why he should not be held in contempt for failure to comply with this Order*".
